

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow, are respectfully requested.

By the present amendments, claim 21 has been amended in response to issues raised in the Office Action and claims 29 and 30 were amended for purpose of clarification. Claim 11 was amended to correct a typographical error. Claims 2-6, 9-11, 13-15, 21-23, 29, 30, 33-36 and 40 remain pending in this application.

Claims 2-6, 9-11, 13-15, 21-23, 29, 30, 33-36 and 40 were rejected under 35 U.S.C. §112, first paragraph, for the reasons provided in paragraph (11) of the Office Action. In response, claim 21 has been amended by replacing “30%” with 20% as suggested by the Examiner. Accordingly, this rejection has been obviated and should be withdrawn.

Claims 2-6, 9-11, 13-15, 21-23, 29, 30, 33-36 and 40 were provisionally rejected on the ground of obviousness-type double patenting over claims 1-33 of copending application, Serial No. 10/362,455 for the reasons given in paragraph (13) of the Office Action. Reconsideration and withdrawal of this rejection are requested for the following reasons.

Applicants believe that the present claims are drawn to a patentably distinct invention from that claimed in Serial No. 10/362,455. However, to expedite prosecution, a Terminal Disclaimer is being filed concurrently with this Amendment to obviate the provisional double patenting rejection. Accordingly, the rejection should be withdrawn.

Claims 2-6, 9-11, 13-15, 21-23, 29, 30, 33-36 and 40 were rejected under 35 U.S.C. §102(b) as anticipated by WO 98/00449 (Sharma). Reconsideration of this rejection is requested for at least the following reasons.

The Examiner asserts that the monomers disclosed on page 6, lines 24-36 of Sharma are amphoteric. Respectfully, Applicants disagree. These monomers are cationic salts of aromatic dicarboxylic acids or esters thereof containing a sulfonate group. Amphoteric compounds, by definition, contain a cationic group and an anionic group in the same molecule. Note, for example, page 72 of Hawley's Condensed Chemical Dictionary, 12th Ed. Thus, compounds of the type used as comonomers in the present application contain a cationic group and an anionic group on the same molecule as opposed to the salts disclosed in Sharma. Those of ordinary skill in the art would clearly recognize that the compounds of Sharma are not amphoteric monomers.

Claim 11 sets forth a group of amphoteric monomers. None of these compounds are disclosed by Sharma. Quite clearly, claim 11 is not anticipated by this reference.

Moreover, claims 29 and 30 describe processes which are not disclosed in Sharma. The reference does not disclose a process of imparting crease-resistance or facilitating ironing of fabrics by treating with the compositions of claim 21.

For at least the above reasons, the §102(b) rejection over WO 98/00449 should be withdrawn. Such action is respectfully requested.

Claims 2-6, 9-11, 13-15, 21-23, 29, 30-36 and 40 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,746,455 to Matsuda et al. Reconsideration and withdrawal of this rejection are requested for at least the reasons which follow.

The Examiner argues that the monomers disclosed in Matsuda et al. '455 at column 2, line 51 to column 3, line 34 are amphoteric. Respectfully, Applicants disagree and note that those monomers are described in the reference as having a cationic group only, i.e. they are cationic only and not amphoteric. The claims of this patent also describe the polymers as cationic and not amphoteric.

Further, Matsuda et al. '455 does not disclose any of the amphoteric monomers set forth in present claim 11. This reference clearly does not anticipate claim 11.

In addition, Matsuda et al. '455 does not disclose or suggest the processes of claims 29 and 30. The reference fails to disclose imparting crease-resistance or facilitating of fabrics by applying the compositions of claim 21.

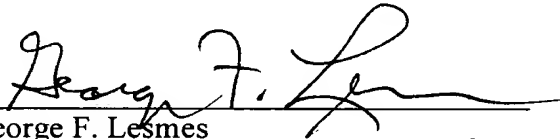
For at least the aforementioned reasons, the §102(b) rejection over Matsuda et al. '455 should be withdrawn. Such action is earnestly requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6683 at his earliest convenience.

Respectfully submitted,

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